

**TITLE 14. Fish and Game Commission**  
**Notice of Proposed Changes in Regulations**

**NOTICE IS HEREBY GIVEN** that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections 202 and 355, of the Fish and Game Code, and to implement, interpret or make specific Sections 202, 355 and 356, of said Code, proposes to amend Section 502, Title 14, Waterfowl, Migratory; American Coot; and Common Moorhen (Common Gallinule).

**Informative Digest/Policy Statement Overview**

Current regulations in Section 502, Title 14, California Code of Regulations (CCR), provide definitions, hunting zone descriptions, season opening and closing dates, and daily bag and possession limits. In addition to the eight proposals contained herein, the U.S. Fish and Wildlife Service (Service), through the analysis of waterfowl population survey and other data, may also initiate changes in federal regulations which will require changes in existing and proposed State regulations. Changes in federal regulations for season opening and closing dates, modifying zone boundaries, elimination or creation of special management areas, season length, and daily bag limits for migratory birds may occur. All proposed changes to State regulations (excluding Proposal 2) require changes in the federal regulations and also must be approved by the Pacific Flyway Council at their meeting on July 23, 2004. Proposal 2 is consistent with federal regulations as they are currently understood. The Service will consider these and other recommendations at their meeting on July 29, 2004. The Department is anticipating that the Service will follow the pintail interim harvest strategy which allows a one bird daily bag limit throughout the general duck season and that the Service will also allow a 60-day canvasback season. Also, minor editorial changes were made to clarify and simplify the regulations and to comply with existing federal frameworks.

1. Modify the existing boundary in the Northeastern Zone to include Shasta Valley in the Northeastern Zone.
2. Modify the duck season in the Northeastern Zone from a 105-day split (segments) season to a 105-day continuous season.
3. Increase the Southern San Joaquin Valley and Balance of State Zone duck season length from 99 days (split) to a 100-day continuous season opening on the fourth Saturday in October.
4. Increase the 60-day partial pintail season to a 100-day (full season) in all zones.
5. Lengthen the goose season from 86 to 100 days in the Southern San Joaquin Valley and Balance of State zones.
6. Increase the dark goose daily bag limit from two to three in the Southern San Joaquin Valley and Balance of State zones.
7. Increase the season length from 16 to 100 days for Canada geese in the North Coast Special Management Area.
8. Increase the Small Canada goose daily bag limit from one to two but maintain the daily bag limit of one Large Canada goose in the North Coast Special Management Area.

**NOTICE IS GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at Mono Memorial Hall, 100 Sinclair Street, Bridgeport, California on Friday, August 6, 2004, at 8:30 a.m., or as soon thereafter as the matter may be heard.

**NOTICE IS ALSO GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Veterans Memorial Building, 209 Surf Street, Morro Bay, California on August 27, 2004, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is

requested, but not required, that written comments be submitted on or before August 22, 2004, at the address given below, or by fax at (916) 653-5040, or by e-mail to [FGC@dfg.ca.gov](mailto:FGC@dfg.ca.gov), but must be received no later than August 27, 2004 at the hearing in Morro Bay, CA. All written comments must include the true name and mailing address of the commentor.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Robert R. Treanor, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct inquiries to Robert R. Treanor or Jon D. Snellstrom at the preceding address or phone number. John Carlson, Department of Fish and Game, phone (916) 445-3555, has been designated to respond to questions on the substance of the proposed regulations. Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Also, the Initial Statement of Reasons, as well as the notice of the proposed action shall be posted on the Fish and Game Commission website at [http://www.dfg.ca.gov/fg\\_comm/](http://www.dfg.ca.gov/fg_comm/).

Draft environmental documents associated with the proposed regulatory actions are made available for comment commencing June 18, 2004. Oral or written comments relevant to these documents will be received at the August 6, 2004, meeting in Bridgeport. Written comments on these documents may be submitted to the Commission office (address given herein) until 5:00 p.m., August 6, 2004. Draft environmental documents are available for review at the Commission office and at the Department of Fish and Game's headquarters office (same address as Commission). Copies of the documents are also available for review at the Department offices in Redding, Rancho Cordova, Yountville, Fresno, Bishop, Eureka, Menlo Park, Monterey, Chino and San Diego. **NO WRITTEN COMMENTS ON THE DRAFT ENVIRONMENTAL DOCUMENTS WILL BE ACCEPTED AFTER 5:00 P.M. ON August 6, 2004.**

#### Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from agency program staff.

#### Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The proposed regulations are intended to provide additional recreational opportunity to the public.

The response is expected to be minor in nature.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

None

- (c) Cost Impacts on a Representative Private Person or Business:

A private person or business will incur minor to moderate costs by being in compliance with the proposed action. Currently, a Junior Trapping License costs \$26.25, a Resident Trapping License costs \$78.50, and a Nonresident Trapping License costs \$394.75. These prices would not change under the Department's proposal.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None

- (e) Nondiscretionary Costs/Savings to Local Agencies:

None

- (f) Programs mandated on Local Agencies or School Districts:

None

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4:

None

- (h) Effect on Housing Costs:

None

#### Effect on Small Business

It has been determined that the adoption of these regulations may affect small business.

#### Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome to affected private persons than the proposed action.

FISH AND GAME COMMISSION

Robert R. Treanor  
Executive Director

Dated: June 28, 2004